

REMARKS

Claims 1-21 are pending in the application. Claims 1, 9-11, and 16-21 are amended for clarity, and claims 4-8 are canceled. Applicant requests reconsideration and allowance in view of the above clarifying amendments and the following remarks.

Specification Objection/Changes

The specification is objected to for referring to Figure 1 when only a single figure has been presented. Additionally, the specification is objected to for a grammatical error. Appropriate corrections have been made.

Additionally, certain claims were objected to for referring to ancillary or auxiliary fourth, fifth, sixth, seventh, and eighth functions of the switch when the base claim from which those claims depend only refers to two functions. To maintain conformity between the specification and the claims after appropriate amendment to the claims (to recite the ancillary or auxiliary functions in all cases as a third function), Applicant has amended the specification to drop the labels third, fourth, fifth, sixth, seventh, and eighth and to refer to the other functions simply as “additional function(s).”

Furthermore, Applicant has amended the specification to clarify that the pushed in and pulled out axial positions are relative to a neutral position. Support for such amendment may be found, for example, at paragraphs [0031] and [0032], which explain that the switch is spring-loaded to return to a “normal position” (i.e., a neutral position, as clarified by the amendments) when it is released from either the pushed-in position or the pulled-out position. Accordingly, no new matter is presented by way of the amendments, and Applicant respectfully requests that they be entered.

Drawing Objections

The drawings are objected to on the basis that they do not show features recited in claims 4, 6, 7, or 8. Rather than amend the Figure, Applicant has simply canceled those claims for expediency. Applicant reserves the right to amend the drawings and reinstate those claims in the future.

Additionally, the drawings are objected to for being labeled “Fig. 1” when only a single figure has been presented. A substitute sheet with the label removed is being filed herewith. Accordingly, the drawing objections have been overcome.

Claim Objections

Claims 17, 18, 19, 20, and 21 have been objected to for reciting fourth, fifth, sixth, seventh, and eighth functions, respectively, while claim 11, from which each depends, only recites first and second functions. Applicant has amended each of those claims to refer in each instance to a third function so as to maintain proper numerical sequencing (and has amended the specification appropriately, as noted above). Accordingly, the drawing objection has been overcome.

Claim Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 5 and 8 are rejected under 35 U.S.C. § 112, first paragraph, on the basis that the claim term “low-level switch” and recitation that the switch “has a serial electronic interface” are not clear and therefore are not enabled. To expedited prosecution of this application, Applicant has simply canceled those claims. Accordingly, the rejection is overcome, and Applicant respectfully requests that it be withdrawn.

Art-Based Claim Rejections

Claims 1 and 8 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by Del Rosso, U.S. 5,736,696 which, according to the Examiner, shows “a first axial position [that] is activated by a pushing movement and a second axial position [that] is activated by a pulling movement[.]” Furthermore, claims 3 and 9 are rejected under 35 U.S.C. §103 based on Del Rosso in view of Hubacher, EP 0 765 775, on which the Examiner relies for its disclosure of an illuminated switch position signal (claim 3) and axial switch positions corresponding to two different fog lamp functions (claim 9). Applicant respectfully traverses the rejections, and requests that they be withdrawn.

As clarified by the present amendments, in the claimed invention, the pushed-in position and the pulled-out position are each relative to a neutral (third) position. That is not what Del Rosso discloses. Rather, the switch in Del Rosso is a two-position switch, in which its pushed-in position is only pushed in relative to the pulled-out position, and the pulled-out position is only pulled out relative to the pushed-in position. See, for example, column 1, lines 8-30 of Del Rosso:

Switches of that type, for actuation of the parking and headlights by turning the actuating knob and for actuating the interior lighting lamps by pulling the knob are known in various styles. . . In addition to this rotary/pull switch, an on/off switch for [each of several other lighting functions] needs to be installed in the dashboard at different locations.

* * * *

Therefore, the problem underlying the invention is to provide an automotive light switch of the initially named [rotary/pull] type, while serving all light switching functions of an automobile, has a maximally compact structure.

See, also, column 2, line 15 (“rotary/pull switch”); column 3, lines 38-40 (“rotary/pull switch 3”; “adjustable in rotary and pull directions”); and column 4, line 3 (“the actuating knob of the rotary/pull switch 3”).

In view of this difference between the claimed invention and Del Rosso, it is clear that Del Rosso does not anticipate any claims of the application. Moreover, Hubacher does not remedy that deficiency of Del Rosso as a reference; accordingly, the combination of references

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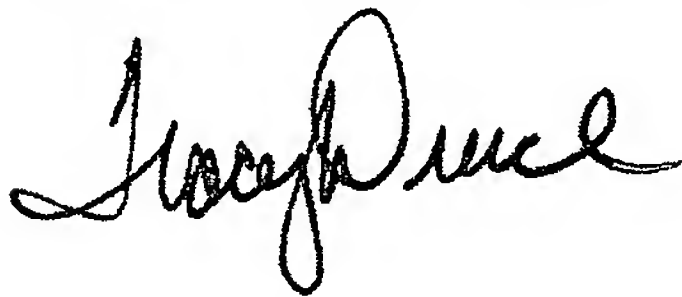
does not yield any of the claimed subject matter. Therefore, Applicant respectfully traverses the anticipation and obviousness rejections and requests that they be withdrawn.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, Order No. 7589.159.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



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